

# Two officers charged in Haitian torture case

Special to Sentinel-Voice

NEW YORK - Two police officers accused of sexually brutalizing a Haitian immigrant with a wooden stick pleaded innocent Monday to a new charge of bias based on "race, color, religion or national origin."

The new charge of aggravated harassment was contained in a state indictment against officers Justin Volpe, 25, and Charles Schwarz, 31, that also included earlier charges that Volpe and Schwarz beat and sodomized Abner Louima Aug. 9 in a police bathroom.

The indictment alleges that officers Thomas Bruder, 31, and Thomas Wiese, 33, joined Volpe and Schwarz in punching, kicking and beating Louima with a radio.

All four men - who pleaded innocent to the earlier charges and have been released on bail - appeared briefly in court Monday.

Louima was allegedly attacked Aug. 9 in the bathroom of the 70th Precinct stationhouse following his arrest outside a Brooklyn nightclub for disorderly conduct. Louima told authorities he believed the stick used in the attack was the handle of a toilet plunger. He remains hospitalized with bowel injuries.

Louima has filed a \$55 million lawsuit against the city, which his attorneys say they will amend to seek \$465 million. The attorneys say the attack was racially motivated.

The indictment accuses Volpe and Schwarz of first-degree aggravated sexual abuse and first-degree assault for allegedly sodomizing Louima with a foreign object. All four men are charged with second-and-third-degree assault, criminal possession of a weapon - namely the radio - and three counts of aggravated harassment, which is the bias charge.

Marvyn Kornberg, Volpe's lawyer, asked in court whether the proceeding was a matter of "spinning our wheels," speculating that federal authorities would soon take over the case.

Police Commissioner Howard Safir said Sunday that the officers would not "be returned to duty in any capacity - modified or not," unless they are cleared of all charges.

However, their paychecks will resume this week since the state's civil service law requires that suspended officers go back on the payroll 30 days after being removed from duty.

Schwarz's lawyer, Steve Worth, had complained that Safir's decision to keep the officers from working for their pay was "unilaterally treating them differently" than every other officer accused of misconduct since the state law went into effect in 1987.

Worth said the decision "had stigmatized them and had an impact on their right to a fair trial."

# Haitian NY police to train Brooklyn colleagues

By Tom Hays  
Special to Sentinel-Voice

New York City police officers, working to tame Haiti's notoriously brutal police force, will be called home to teach the same lessons to their colleagues in Brooklyn, Police Commissioner Howard Safir said.

The announcement came as a second Haitian immigrant charged police in Flatbush's 70th Precinct with beating him on the same night they allegedly sodomized Abner Louima.

Alan Abramson, a lawyer for Patrick Antoine, said officers - including Justin Volpe, one of those charged in the Louima attack - hit Antoine on the street outside a nightclub and again in their squad car, The New York Times reported.

Abramson said Antoine, who was arrested with Louima during an early-morning scuffle outside the club, had not even been inside. He was just walking by when he got caught up in a brawl and was hit by Volpe. Police dropped all charges against Antoine, including an allegation that he had assaulted Volpe.

Meanwhile, Safir has detailed plans to pull about 10 New York City officers out of Haiti and transfer them to the 70th Precinct, located in a neighborhood with a heavy concentration of Caribbean-Americans. The group is part of a United Nations team teaching their Haitian counterparts about police work.

The officers, all Haitian-American, would return and join a contingent of black police personnel that Safir plans to transfer to the precinct. The community has leveled heavy criticism on the department for what they say was a racially motivated attack on Louima, 30.

"I think we need to move some more Haitian police officers into the 'Seven-O' who can relate to that portion of the community that is Haitian," Safir told The Times. "We need to move some additional African-American police officers into the 'Seven-O.' We're in the process of doing that."

Four of the precinct's officers face criminal charges in the alleged Aug. 9 attack on Louima.

Louima said officers sodomized him with the wooden handle

of a toilet plunger in the precinct house's bathroom while chiding him with racial slurs.

A law enforcement source said the 14 officers placed on restricted duty in the wake of the attack probably will not be arrested, but it is unlikely they will work in the 70th Precinct.

Chief spokesperson Marilyn Mode called that assessment "premature," saying more arrests were possible. At the very least, all the restricted officers will be transferred and still face potential dismissal on administrative charges, she said.

Volpe, 25 - who reportedly bragged about the attack - and officer Charles Schwarz, 31, are charged with assault and sexual abuse.

Two other officers, Thomas Wiese, 33, and Thomas Bruder, 31, were arrested and charged with beating Louima.

Louima was arrested for disorderly conduct - a charge later dropped - after scuffling with police outside a Flatbush nightclub. Both Volpe and Schwarz reported being punched in the head, police said.

According to prosecutors, the four accused officers drove Louima to the station house,

stopping along the way to take turns beating him. Prosecutors say that Schwarz held Louima down in a bathroom at the station house while Volpe shoved a two-to-three-foot long stick into his rectum.

Louima remains hospitalized with a torn colon and other injuries. He is seeking a \$55 million settlement against the city, his lawyers said. At a news conference in Brooklyn, attorney Sanford Rubenstein called on city officials "to begin the healing process and accept responsibility and admit what happened to Abner Louima."

The case has also prompted a federal civil rights investigation. And Louima's legal team now includes former O.J. Simpson civil attorney Johnnie Cochran.

Mayor Rudolph Giuliani said the city would spend between \$12 million and \$15 million to bring officers and community residents together at a series of local policing forums. All 38,000 of the city's police officers will be required to attend at least one of the meetings, he said.

*"I think we need to move some more Haitian police officers into the 'Seven-O' who can relate to that portion of the community that is Haitian."*

— Police Commissioner Howard Safir

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